

10/699,090. In response, the Applicants respectfully submit that the two inventions are not drawn to identical subject matter. In Application No. 10/696,660, the invention is drawn to a location identifier that situates on the location that temporally holds sets of items. In contrast to this, Application No 10/699,090 relates to a location identifier that situates on the item. Although the distinction may be slight, the Applicants respectfully submit that there are major differences by the two ways of tracking locations.

Application No. 10/696,660 is directed to an item locator wherein each set of items has a unique bar code located on at least one item in the set. Furthermore, each location, whereon a set of items is held, has a bar code situated on the location. In creating an item-location match, when a given location bar code is scanned and an association is made by scanning item bar codes placed in that location, a processor defines a set of corresponding items with locations. Thus, it is shown that a corresponding item location situates on the aisle, row, shelf, and the like. Support for all of the above is found in claim 21 (a) and (b), and on pages 30 through 31 of the specification.

On the other hand, Application No. 10/699,660 is directed to an item locator wherein each set of items has a unique bar code situated on at least one item in the set, which includes an item identifier and a location identifier. In creating an item-location match, when a given item bar code is scanned, a processor defines a set of corresponding items with locations for all given items in a set. Thus, it is shown that at least one item of a set has a location bar code situated on the item. Support for all of the above is found in claim 21 (a) and (b), and on pages 30 through 31 of the specification.

In the event that the Examiner determines that there is a double patenting rejection based on obviousness, the Applicants will agree to a Terminal Disclaimer to overcome such a determination, if made.

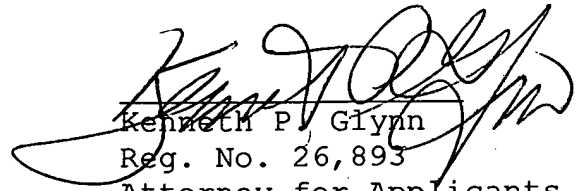
The Applicants respectfully submit that the Examiner's double patenting rejection is overcome, that the current rejection be withdrawn and that the claims be allowed. An

early and favorable reply is hereby solicited.

Thank you.

Respectfully submitted,

Date: May 4, 2005

A handwritten signature in black ink, appearing to read "Kenneth P. Glynn", is written over the typed name and registration number.

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